

## DECLARATION

As a below named inventor, I declare that:

My residence, post office address and citizenship are as stated below next to my name; I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: A batery with miniaturised SOFC fuel cells the specification of which  is attached hereto or  was filed on \_\_\_\_\_ as Application No. \_\_\_\_\_ and was amended on \_\_\_\_\_ (if applicable).

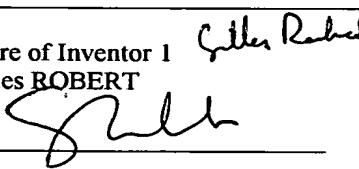
I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56. I claim foreign priority benefits under Title 35, United States Code, Section 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

### Prior Foreign Application(s)

Country	Application No.	Date of Filing	Priority Claimed Under 35 USC 119
Europe	03 405 091.4	02/18/2003	YES

Full Name of Inventor 1:	Last Name: <b>ROBERT, Dr.</b>	First Name: <b>Gilles</b>	Middle Name or Initial:
Residence & Citizenship:	City: <b>Zürich</b>	State/Foreign Country: <b>Switzerland</b>	Country of Citizenship: <b>Switzerland</b>
Post Office Address:	Post Office Address: <b>Frohlichstrasse 50</b>	City: <b>Zürich</b>	State/Country: <b>CH</b> Postal Code: <b>8008</b>
Full Name of Inventor 2:	Last Name:	First Name:	Middle Name or Initial:
Residence & Citizenship:	City:	State/Foreign Country:	Country of Citizenship:
Post Office Address:	Post Office Address:	City:	State/Country: Postal Code:
Full Name of Inventor 3:	Last Name:	First Name:	Middle Name or Initial:
Residence & Citizenship:	City:	State/Foreign Country:	Country of Citizenship:
Post Office Address:	Post Office Address:	City:	State/Country: Postal Code:

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Signature of Inventor 1 Dr. Gilles ROBERT  Date 21.11.03	Signature of Inventor 2 _____ Date	Signature of Inventor 3 _____ Date
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Please type a plus sign (+) inside this box → **[+]**

PTO/SB/81 (02-01)

Approved for use through 10/31/2002. OMB 0651-0035  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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<b>POWER OF ATTORNEY OR AUTHORIZATION OF AGENT</b>	<b>Application Number</b>	
	<b>Filing Date</b>	
	<b>First Named Inventor</b>	Dr. Gilles ROBERT
	<b>Title</b>	A battery with miniaturised SOFC .....
	<b>Group Art Unit</b>	
	<b>Examiner Name</b>	
<b>Attorney Docket Number</b>	015258-062300US	

I hereby appoint:

Practitioners at Customer Number  
**OR**  
 Practitioner(s) named below:

	→	<b>*20350*</b> 20350 <small>PATENT TRADEMARK OFFICE</small>
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Name	Registration Number

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

Please change the correspondence address for the above-identified application to:

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**OR**

Practitioners at Customer Number

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Firm or Individual Name			
Address			
Address			
City		State	ZIP
Country			
Telephone		Fax	

I am the:

Applicant/Inventor.  
 Assignee of record of the entire interest. See 37 CFR 3.71.

*Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).*

**SIGNATURE of Applicant or Assignee of Record**

Name	Sulzer Markets and Technology AG		
Signature	<i>Peter P. Ernst</i>		
Date	21.11.03	CUSTOMER RELATIONSHIP MANAGER	Jürgen Ruhnau Head of Finance
NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.			
<input type="checkbox"/> *Total of _____ forms are submitted.			

Burden Hour Statement: This form is estimated to take 3 minutes to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

SF 1439915 v1

**STATEMENT UNDER 37 CFR 3.73(b)**Applicant/Patent Owner: Dr. Gilles ROBERT

Application No./Patent No.: \_\_\_\_\_ Filed/Issue Date: \_\_\_\_\_

Entitled: A battery with miniaturised SOFC fuel cellsSulzer Markets and Technology AG, a Swiss company

(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1.  the assignee of the entire right, title, and interest; or
2.  an assignee of less than the entire right, title and interest.  
The extent (by, percentage) of its ownership interest is \_\_\_\_\_ %

in the patent application/patent identified above by virtue of either:

A.  An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

OR

B.  A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: \_\_\_\_\_ To : \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

2. From: \_\_\_\_\_ To : \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

3. From: \_\_\_\_\_ To : \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

Additional documents in the chain of title are listed on a supplemental sheet.

Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.8]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

21.11.2003

Date

Sulzer Markets and Technology AG

Typed or printed name

*P. Erust* / *J. Pulman*  
 ppa ppa  
 CUSTOMER SIGNATURE  
 RELATIONSHIP Head of  
 MANAGER Finance & Controlling  
 Title

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